

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Regarding the Matter of The)
Governor's Policy Research)
Office and Lauren L. Hill, in)
her official capacity as)
Director of the Governor's)
Policy Research Office, State of) RESOLUTION
Nebraska v. KN Energy, a)
Division of Kinder Morgan,)
before the District Court of)
Lancaster County, Nebraska (Case)
Nos. CI00-4589 & CI02-326):) Entered: November 25, 2003

BY THE COMMISSION:

WHEREAS the Nebraska Legislature enacted Legislative Bill 790 (LB 790) during the 2003 session, giving Nebraska Public Service Commission regulatory responsibility over the natural gas service and rates; *and*

WHEREAS LB 790 creates the Municipal Rate Negotiations Revolving Loan Fund ("Current Fund"), which is to be used to make loans to cities for rate negotiations under LB 790, and charges the Commission with the responsibility to administer the Current Fund; *and*

WHEREAS the Current Fund, according to LB 790, replaces the Municipal Natural Gas Regulation Revolving Loan Fund ("Former Fund"); *and*

WHEREAS LB 790 provides that all obligations to and all obligations against the Former Fund on the effective date of LB 790 are now obligations to and obligations against the Current Fund; *and*

WHEREAS the Governor's Policy Research Office, et al., has instituted two actions (Case Nos. CI00-4589 & CI02-326) in the District Court of Lancaster County against KN Energy, a Division of Kinder Morgan (Kinder Morgan), alleging Kinder Morgan has obligations to the Former Fund that it has not satisfied and seeking to collect on those obligations; *and*

WHEREAS by operation of LB 790 Kinder Morgan's obligations to the Former Fund are now obligations to the Current Fund; *and*

WHEREAS the Nebraska Public Service Commission desires for the Nebraska Attorney General to pursue collection in the actions referenced herein on behalf of the Public Service Commission; *now therefore be it*

RESOLVED by the Nebraska Public Service Commission, that it should request that the Nebraska Attorney General pursue collection in the actions referenced herein on behalf of the Public Service Commission and directs its Executive Director to make that request to the Attorney General.

MADE AND ENTERED at Lincoln, Nebraska, this 25th day of November 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director